

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.3.2
Eastern Division**

UNITED STATES OF AMERICA

Plaintiff,

v.

Case No.: 1:18-cr-00495

Honorable Sara L. Ellis

Ivan Parker

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Monday, May 4, 2020:

MINUTE entry before the Honorable Rebecca R. Pallmeyer as to Ivan Parker: This matter is before Judge Pallmeyer as Emergency Judge. Ivan Parker was convicted by a jury of robbery in a trial before Judge Sara Ellis, who will be sentencing him in late July 2020. Parker seeks release pending sentencing; he alleges that he has HIV and is therefore particularly susceptible to contracting COVID-19 while he is in custody. Because Parker has been convicted, the statute that governs this motion is 18 U.S.C. sec. 3143, not 3142, meaning that the court should grant it only if there is clear and convincing evidence that Parker is not likely to flee or pose a danger, and that there is a substantial question of law or fact concerning the validity of his conviction. This court need not reach the second prong of that test because it concludes the first has not been met. Parker has a significant criminal record, including a number of violations of parole or probation. Previous custody sentences have not deterred him; in this case, the jury found he used a firearm and pepper spray to rob a Loomis technician servicing a Chase Bank ATM of \$106,335 and then went on a spending spree. The hefty 135-to-168 guideline sentence he faces gives him an incentive to flee and he has proposed nothing that would mitigate that incentive. The court is well aware that the virus is contagious and spreads easily within a correctional facility; it is impossible to guarantee that no detainee or inmate will be infected by it, despite the Warden's determined efforts to protect the persons in his custody. Parker's reported vulnerability to COVID-19 is troubling, but it does not overcome the concerns raised by Parker's record of noncompliance with release orders and status as a convicted felon. His motion for release (210 in the emergency docket and Docket No [110] in 18 CR 495) is denied without prejudice. Notice mailed by judge's staff (ntf,)

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